



CULLENandDYKMAN LLP

JENNIFER A. McLAUGHLIN
PARTNER
Direct: 516-357-3713
Direct Fax: 516-296-9155
E-mail: JMcLaughlin@cullenanddykman.com

Garden City Center
100 Quentin Roosevelt Boulevard
Garden City, New York 11530-4850
Telephone (516) 357-3700 • Facsimile (516) 357-3792

September 28, 2009

Via ECF and Regular Mail

Hon. Carol Bagley Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Dasrath v. Ross University School of Medicine
CV-07-2433 (Amon, J.)(Reyes, M.J.)

Dear Judge Amon:

This firm represents the defendant/movant Ross University School of Medicine in the above stated action. Enclosed please find a courtesy copy of defendant's Motion pursuant to 12(b)(1) and (6) to dismiss the Amended Complaint in accordance with the briefing schedule set forth at the conference on May 6, 2009, and subsequent "So Ordered" adjournments.

Movant's Submission:

- (a) Notice of Motion by Ross University pursuant to F.R.C.P.12(b)
- (b) Affidavit of Nancy Perri, M.D. with Exhibit
- (c) Memorandum of Law in Support of Ross University's Motion to Dismiss the Amended Complaint

Opposition:

- (a) Plaintiff's Memorandum of Law in Opposition
- (b) Plaintiff's Affidavit with Exhibits

Movant's Reply:

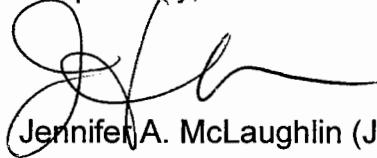
- (a) Memorandum of Law in Further Support of Ross University's Motion to Dismiss Amended Complaint

Founded 1850

CULLENandDYKMAN LLP

In accordance with Your Honor's rules, this motion is simultaneously being filed via ECF today.

Respectfully,



Jennifer A. McLaughlin (JM 5678)

JAM:ms
Enclosures

cc: Magistrate Judge Ramon E. Reyes, Jr.
(via ECF)

Salvatore D. Compoccia, Esq.
(with enclosures)